

115TH CONGRESS  
1ST SESSION

# S. 1380

To amend title 10, United States Code, to authorize officers to opt out  
of promotion board consideration for promotion.

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## IN THE SENATE OF THE UNITED STATES

JUNE 20, 2017

Mr. ROUNDS introduced the following bill; which was read twice and referred  
to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to authorize officers  
to opt out of promotion board consideration for promotion.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Promotion Board Opt-  
5       Out Opportunity Act of 2017”.

**6 SEC. 2. AUTHORITY FOR OFFICERS TO OPT-OUT OF PRO-**

**7 MOTION BOARD CONSIDERATION.**

8       (a) ACTIVE-DUTY LIST OFFICERS.—Section 619 of  
9       title 10, United States Code, is amended—

1                             (1) in subsection (d), by adding at the end the  
2                             following new paragraph:

3                             “(6) An officer excluded under subsection (e).”;

4                             and

5                             (2) by adding at the end the following new sub-  
6                             section:

7                             “(e) AUTHORITY TO PERMIT OFFICERS TO OPT OUT  
8                             OF SELECTION BOARD CONSIDERATION.—The Secretary  
9                             of Defense may authorize the Secretary of a military de-  
10                             partment to provide that an officer under the jurisdiction  
11                             of that Secretary may, upon the officer’s request and with  
12                             the approval of the Secretary concerned, be excluded from  
13                             consideration by a selection board convened under section  
14                             611(a) of this title to consider officers for promotion to  
15                             the next higher grade. The Secretary concerned may only  
16                             approve such a request if—

17                             “(1) the basis for the request is to allow an of-  
18                             ficer to complete a broadening assignment, advanced  
19                             education, another assignment of significant value to  
20                             the Department of Defense, or a career progression  
21                             requirement delayed by the assignment of education;

22                             “(2) the Secretary concerned determines the ex-  
23                             clusion from consideration is in the best interest of  
24                             the military department concerned; and

1               “(3) the officer has not previously failed of se-  
2       lection for promotion to the grade for which the offi-  
3       cer requests the exclusion from consideration.”.

4       (b) RESERVE ACTIVE-STATUS LIST OFFICERS.—Sec-  
5       tion 14301 of such title is amended—

6               (1) in subsection (e)—

7               (A) in the subsection heading, by striking  
8       “PREVIOUSLY SELECTED OFFICERS NOT ELI-  
9       GIBLE” and inserting “CERTAIN OFFICERS  
10      NOT”; and

11               (B) by adding at the end the following new  
12      paragraph:

13               “(6) An officer excluded under subsection (j).”;  
14      and

15               (2) by adding at the end the following new sub-  
16      section:

17       “(j) AUTHORITY TO PERMIT OFFICERS TO OPT OUT  
18      OF SELECTION BOARD CONSIDERATION.—The Secretary  
19      of Defense may authorize the Secretary of a military de-  
20      partment to provide that an officer under the jurisdiction  
21      of that Secretary may, upon the officer’s request and with  
22      the approval of the Secretary concerned, be excluded from  
23      consideration by a selection board convened under section  
24      14101(a) of this title to consider officers for promotion

- 1 to the next higher grade. The Secretary concerned may  
2 only approve such a request if—  
3       “(1) the basis for the request is to allow an of-  
4 ficer to complete a broadening assignment, advanced  
5 education, another assignment of significant value to  
6 the Department of Defense, or a career progression  
7 requirement delayed by the assignment or education;  
8       “(2) the Secretary concerned determines the ex-  
9 clusion from consideration is in the best interest of  
10 the military department concerned; and  
11       “(3) the officer has not previously failed of se-  
12 lection for promotion to the grade for which the offi-  
13 cer requests the exclusion from consideration.”.

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